

electronics, to the extent that such Presidential actions do not cause the aggregate outstanding amount of all such actions to exceed \$200,000,000.

(b) **REPORT BY THE SECRETARY.**—Before the end of the 6-month period beginning on the date of the enactment of this Act, the Secretary of Defense shall submit a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives describing—

(1) the current state of the domestic industrial base for radiation-hardened electronics;

(2) the projected requirements of the Department of Defense for radiation-hardened electronics;

(3) the intentions of the Department of Defense for the industrial base for radiation-hardened electronics; and

(4) the plans of the Department of Defense for use of providers of radiation-hardened electronics beyond the providers with which the Department had entered into contractual arrangements under the authority of the Defense Production Act of 1950, as of the date of the enactment of this Act.

#### SEC. 4. CLARIFICATION OF PRESIDENTIAL AUTHORITY.

Subsection (a) of section 705 of the Defense Production Act of 1950 (50 U.S.C. App. 2155(a)) is amended by inserting after the end of the 1st sentence the following new sentence: "The authority of the President under this section includes the authority to obtain information in order to perform industry studies assessing the capabilities of the United States industrial base to support the national defense."

#### SEC. 5. CRITICAL INFRASTRUCTURE PROTECTION AND RESTORATION.

Section 702 of the Defense Production Act of 1950 (50 U.S.C. App. 2152) is amended—

(1) by redesignating paragraphs (3) through (17) as paragraphs (4) through (18), respectively;

(2) by inserting after paragraph (2) the following new paragraph:

"(3) **CRITICAL INFRASTRUCTURE.**—The term 'critical infrastructure' means any systems and assets, whether physical or cyber-based, so vital to the United States that the degradation or destruction of such systems and assets would have a debilitating impact on national security, including, but not limited to, national economic security and national public health or safety."; and

(3) in paragraph (14) (as so redesignated by paragraph (1) of this section), by inserting "and critical infrastructure protection and restoration" before the period at the end of the last sentence.

#### SEC. 6. REPORT ON CONTRACTING WITH MINORITY- AND WOMEN-OWNED BUSINESSES.

(a) **REPORT REQUIRED.**—Before the end of the 1-year period beginning on the date of the enactment of this Act, the Secretary of Defense shall submit a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives on the extent to which contracts entered into during the fiscal year ending before the end of such 1-year period under the Defense Production Act of 1950 have been contracts with minority- and women-owned businesses.

(b) **CONTENTS OF REPORT.**—The report submitted under subsection (a) shall include the following:

(1) The types of goods and services obtained under contracts with minority- and women-owned businesses under the Defense Production Act of 1950 in the fiscal year covered in the report.

(2) The dollar amounts of such contracts.

(3) The ethnicity of the majority owners of such minority- and women-owned businesses.

(4) A description of the types of barriers in the contracting process, such as requirements for security clearances, that limit contracting opportunities for minority- and women-owned businesses, together with such recommendations for legislative or administrative action as the Secretary of Defense may determine to be appropriate for increasing opportunities for contracting with minority- and women-owned businesses and removing barriers to such increased participation.

(c) **DEFINITIONS.**—For purposes of this section, the terms "women-owned business" and "minority-owned business" have the meanings given such terms in section 21A(r) of the Federal Home Loan Bank Act, and the term "minority" has the meaning given such term in section 1204(c)(3) of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989.

#### SEC. 7. COMMERCE RESPONSIBILITIES REGARDING CONSULTATION WITH FOREIGN NATIONS.

(a) **OFFSETS IN DEFENSE PROCUREMENTS.**—Section 123(c) of the Defense Production Act Amendments of 1992 (50 U.S.C. App. 2099 note) is amended to read as follows:

"(c) **NEGOTIATIONS.**—

"(1) **INTERAGENCY TEAM.**—It is the policy of Congress that the President shall designate the Secretary of Commerce to lead, in coordination with the Secretary of State, an interagency team to negotiate with foreign nations the elimination of offset arrangements, industrial participation, or similar arrangements in defense procurement. The President shall transmit an annual report on the results of these negotiations to the Congress as part of the report required under section 309(a) of the Defense Production Act of 1950.

"(2) **RECOMMENDATIONS FOR MODIFICATIONS.**—Pending the elimination of the arrangements described in paragraph (1), the interagency team shall submit to the Secretary of Defense any recommendations for modifications of a memorandum of understanding entered into under section 2531 of title 10, United States Code, or a related agreement that the team considers to be an appropriate response to a contractual offset, industrial participation, or similar arrangement that is entered into under the policy to which section 2532 of such title applies.

"(3) **NOTIFICATION TO USTR REGARDING OFFSETS.**—If the interagency team determines that a foreign country is pursuing a policy on contractual offset arrangements, industrial participation arrangements, or similar arrangements in connection with the purchase of defense equipment or supplies that requires compensation for the purchase in the form of nondefense or dual-use equipment or supplies in a value greater than the defense equipment or supplies, the team shall notify the United States Trade Representative of that determination. Upon receipt of the notification, the United States Trade Representative shall treat the policy and each such arrangement as an act, policy, or practice by the foreign country that is unjustifiable and burdens or restricts United States commerce for purposes of section 304(a)(1) of the Trade Act of 1974 (19 U.S.C. 2414(a)(1)), and shall take appropriate action under title III of such Act with respect to such country."

(b) **REPORT ON EFFECTS OF FOREIGN CONTRACTS ON DOMESTIC CONTRACTORS.**—Section 309(d)(1) of the Defense Production Act of 1950 (50 U.S.C. App. 2099(d)(1)) is amended—

(1) in subparagraph (D), by striking "and" at the end; and

(2) in subparagraph (E), by striking the period at the end and inserting the following: "; and

"(F) a compilation of data delineating—

"(i) the impact of foreign contracts that have been awarded through offsets, industrial participation agreements, or similar arrangements, on domestic prime contractors, and at least the first three tiers of subcontractors; and

"(ii) details of contracts with foreign 1st, 2nd, and 3rd tier subcontractors awarded through offsets, industrial participation agreements, or similar arrangements."

### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 243—DESIGNATING THE WEEK OF OCTOBER 19, 2003, THROUGH OCTOBER 25, 2003, AS "NATIONAL CHILDHOOD LEAD POISONING PREVENTION WEEK"

Mr. REED (for himself, Mr. BAYH, Mr. BIDEN, Mr. BOND, Mrs. BOXER, Mr. BREAUX, Mr. CARPER, Mr. CHAFEE, Mrs. CLINTON, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. CORZINE, Mr. DAYTON, Mr. DEWINE, Mr. DODD, Mr. DURBIN, Mr. EDWARDS, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. HAGEL, Mr. INOUE, Mr. JEFFORDS, Mr. JOHNSON, Mr. KENNEDY, Mr. KERRY, Mr. KOHL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NICKLES, Mr. REID, Mr. SANTORUM, Mr. SARBANES, Mr. SCHUMER, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. TALENT, and Mr. THOMAS) submitted the following resolution; which was considered and agreed to:

#### S. RES. 243

Whereas lead poisoning is a leading environmental health hazard to children in the United States;

Whereas according to the Centers for Disease Control and Prevention, 434,000 preschool children in the United States have harmful levels of lead in their blood;

Whereas lead poisoning may cause serious, long-term harm to children, including reduced intelligence and attention span, behavior problems, learning disabilities, and impaired growth;

Whereas children from low-income families are 8 times more likely to be poisoned by lead than are children from high-income families;

Whereas children may be poisoned by lead in water, soil, or consumable products;

Whereas children most often are poisoned in their homes through exposure to lead particles when lead-based paint deteriorates or is disturbed during home renovation and repainting; and

Whereas lead poisoning crosses all barriers of race, income, and geography: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the week of October 19, 2003, through October 25, 2003, as "National Childhood Lead Poisoning Prevention Week"; and

(2) requests that the President issue a proclamation calling upon the people of the United States to observe the week with appropriate programs and activities.